

REMARKS

The Office Action dated July 17, 2009 and Advisory Action dated October 9, 2009 have been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-6, 8-38, 40-73, 75, 76, and 78-92 are now pending in this application. Claims 1-6, 8-38, 40-73, 75, 76, and 78-92 stand rejected.

The rejection of Claims 1-6, 8-23, 25, 27-37, 42, 43, 45, 46, 48, 49, 51-54, 57, 58, 60, 62-72, 78, 80, 81, 83, 84, 86-89, and 92 under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,146,273 to Olsen in view of U.S. Patent No. 5,655,961 to Acres is respectfully traversed.

Preliminarily, Applicants traverse the assertion in the Advisory Action that the “Examiner has provided in the rejection of the claims wherein if certain conditions are not met (e.g. winning points), a bonus session is activated and the activity is recorded by player tracking.” Neither Olsen nor Acres describes “if certain conditions are not met (e.g. winning points), a bonus session is activated and the activity is recorded by player tracking.”

Olsen describes a controller-based progressive gaming system that includes a controller (200) and a plurality of gaming machines (G) that are coupled together via a network (202). Controller (200) randomly chooses a bonus mode activation trigger, which when satisfied, enables a bonus mode time period. The activation trigger is a value selected between a high limit value and a low limit value. A current value is tracked in relation to the high and low limit values and to the trigger. The current value is adjusted for each new wager made by a player and/or payout made to a player. During the bonus mode time period, bonus jackpots are made to one or more eligible machines (G), wherein each bonus jackpot is paid to a random winning eligible gaming machine (G). Each time a game is played on a gaming machine (G), the gaming machine (G) generates a play start signal (S) that is delivered to the controller (200). A timer function (350) causes the bonus mode time period to time out after a predetermined time period has elapsed after the game start (S). During the

bonus mode time period, the player is eligible to win a bonus jackpot. If the player does not cause the gaming machine (G) to generate another play start signal (S), the player becomes ineligible.

Notably, Olsen describes that in the bonus mode trigger function 210, the initial value of the current value 220 at the start of each new game cycle is indeterminate. As such, in the present invention an additional element of randomness is injected in the system because the initial current value 220 is unknown and indeterminate from game to game. In addition, a number of randomly selected eligible machines are awarded bonus jackpots for an indeterminate length of time. Only eligible machines are entitled to receive bonus jackpots during this bonus award time period and those eligible machines are randomly selected by random player selector process 270. For each bonus mode game cycle of the Olsen invention, a new bonus mode activation value 218 is randomly chosen. Therefore in embodiments of the present invention, the session identifier indicates that a bonus session is active if the player has not received a bonus award from the set of bonus awards during a session and Olsen describes a random bonus award time period.

Acres describes a method 550 embodied in software that is executed by floor controllers in a system 10. The floor controllers are responsible for activating or deactivating a bonusing for the individual machines connected thereto. System 10 allows a floor controller to have multiple bonus pools and to associate certain machines with a given bonus pool. Thus, the floor controller can implement multiple bonusing promotions simultaneously. Notably, Acres does not describe nor suggest a player tracking database communicatively coupled to the gaming machine using a network wherein the database includes a session identifier configured to indicate if a bonus session is active based on whether or not the player received a bonus award during a session.

Claim 1 recites a system for awarding a random bonus award, wherein the system comprises “a gaming machine...a set of bonus awards including at least two bonus awards...a criterion dependent on at least one of a status of a player and an action of the player...a player tracking database communicatively coupled to the gaming machine using a network, the database comprising a session identifier configured to indicate that a bonus

session is active if the player has not received a bonus award from the set of bonus awards during a session...a selector configured to select a bonus award at random from the set of bonus awards if the session identifier indicates that the bonus session is active...an awarder configured to deliver the selected bonus award to the player after the player meets the criterion.”

No combination of Olsen and Acres, describes nor suggests a system for awarding a random bonus award, as is recited in Claim 1. More specifically, no combination of Olsen and Acres, describes nor suggests a player tracking database communicatively coupled to the gaming machine using a network, the database that includes a session identifier that is configured to indicate that a bonus session is active if the player has not received a bonus award from a set of bonus awards during a session. Rather, Olsen describes at Column 3, lines 54-67:

[t]he method includes the steps of randomly selecting a bonus mode value between a high and low limit, providing a current value, and incrementing the current value when the gaming machines are played so that the current value is incremented by a fixed amount of each unit bet received by each gaming machine. The system enters a bonus mode time period when the incremented current value is equal to or exceeds the bonus mode activation value. The jackpot bonus pool is set equal to the bonus mode activation value. The system determines which gaming machines are eligible by locking in all gaming machines that have received a monetary amount within a predetermined time frame after play has started in response to entering the bonus mode time period. The system randomly awards bonus jackpots to randomly chosen eligible gaming machines during the bonus time period. The system randomly selects which eligible gaming machines are to receive bonus jackpots and randomly selects the bonus jackpots from a weighted payout table. Each bonus jackpot decrements the pool by the amount of each jackpot and the bonus mode time period is ended when the jackpot bonus pool is less than or equal to zero. (Emphasis added.)

Accordingly, Olsen does not describe the bonus session being active if the player has not received a bonus award from the set of bonus awards during a session, but rather, in contrast to the present invention, Olsen describes that the system enters a bonus mode time period when the incremented current value is equal to or exceeds the bonus mode activation value and that the current value is incremented by a fixed amount of each unit bet received by each

gaming machine. The system described by Olsen enters a bonus mode completely independently of whether the player has already received a bonus that session. Moreover, Olsen describes that “[w]hen a bonus mode time period is entered eligible players are awarded jackpots of random value in rapid succession creating a frenzied atmosphere for the eligible players.” In further contrast to the present invention, Acres describes floor controllers that activate bonusing if an amount in a bonus pool has increased above a turn-on level or alternatively deactivate bonusing if the amount in the bonus pool has decreased below a turn-off level. Activation and deactivation of bonusing occurs completely independently of the player not receiving a bonus that session. However, Acres does not describe nor suggest activating a bonus session based on the player not receiving a bonus in that session.

Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Olsen in view of Acres.

Claims 2-6 and 8-22 depend from independent Claim 1. When the recitations of Claims 2-6 and 8-22 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-6 and 8-22 likewise are patentable over Olsen in view of Acres.

Claim 23 recites a method for awarding a random bonus award wherein the method includes “identifying a criterion for the selection of a bonus award, the criterion dependent on at least one of a status of a player and an action of the player...determining that the player meets the criterion...determining that a bonus session is active if the player has not received a bonus award from the set of bonus awards during a session...selecting a bonus award at random from a set of bonus awards including at least two bonus awards if the bonus session is determined to be active...awarding the selected bonus award to the player.”

No combination of Olsen and Acres, describes nor suggests a method for awarding a random bonus award, as is recited in Claim 23. More specifically, no combination Olsen and Acres describe or suggest determining that a bonus session is active if the player has not received a bonus award from the set of bonus awards during a session. Rather, Olsen

describes a gaming machine that, at the start of each play, generates a play start signal that causes a bonus mode time period to begin based on a randomly selected value in the bonus mode trigger function 210 and not based on whether the player has received a bonus award in that session. Acres describes floor controllers that activate bonusing if an amount in a bonus pool has increased above a turn-on level or deactivate bonusing if the amount in the bonus pool has decreased below a turn-off level. However, Acres does not describe nor suggest activating the bonus session based on whether the player has received a bonus in that session.

Accordingly, for at least the reasons set forth above, Claim 23 is submitted to be patentable over Olsen in view of Acres.

Claims 25, 27-37, 42, 43, 45, 46, 48, 49, 51-54, and 57 depend from independent Claim 23. When the recitations of Claims 25, 27-37, 42, 43, 45, 46, 48, 49, 51-54, and 57 are considered in combination with the recitations of Claim 23, Applicants submit that dependent Claims 25, 27-37, 42, 43, 45, 46, 48, 49, 51-54, and 57 likewise are patentable over Olsen in view of Acres.

Claim 58 recites a computer-readable medium containing a program to award a random bonus award, wherein the computer-readable medium comprises “software to identify a criterion for the selection of a bonus award, the criterion dependent on at least one of a status of a player and an action of the player...software to determine that the player meets the criterion...software to determine that a bonus session is active if the player has not received a bonus award from the set of bonus awards during a session...software to select a bonus award at random from a set of bonus awards if the bonus session is active, wherein the set of bonus awards includes at least two bonus awards...software to award the selected bonus award to the player.

No combination of Olsen and Acres describes nor suggests a program to award a random bonus award, as is recited in Claim 58. More specifically, no combination of Olsen and Acres describes nor suggests software to determine that a bonus session is active if the player has not received a bonus award from the set of bonus awards during a session. Rather, Olsen describes a gaming machine that, at the start of each play, generates a play start signal

that causes a bonus mode time period to begin based on a randomly selected value in the bonus mode trigger function 210 and not based on whether the player has received a bonus award in that session. Acres describes floor controllers that activate bonusing if an amount in a bonus pool has increased above a turn-on level or deactivate bonusing if the amount in the bonus pool has decreased below a turn-off level. However, Acres does not describe nor suggest activating the bonus session based on whether the player has received a bonus in that session.

Accordingly, for at least the reasons set forth above, Claim 58 is submitted to be patentable over Olsen in view of Acres.

Claims 60, 62-72, 78, 80, 81, 83, 84, 86-89, and 92 depend from independent Claim 58. When the recitations of Claims 60, 62-72, 78, 80, 81, 83, 84, 86-89, and 92 are considered in combination with the recitations of Claim 58, Applicants submit that dependent Claims 60, 62-72, 78, 80, 81, 83, 84, 86-89, and 92 likewise are patentable over Olsen in view of Acres.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejections of Claims 1-6, 8-23, 25, 27-37, 42, 43, 45, 46, 48, 49, 51-54, 57, 58, 60, 62-72, 78, 80, 81, 83, 84, 86-89, and 92 be withdrawn.

The rejection of Claims 24, 26, 38, 40, 41, 44, 47, 55, 56, 59, 61, 73, 75, 76, 79, 82, 90, and 91 under 35 U.S.C. § 103(a) as being unpatentable over Olsen in view of U.S. Patent Publication No. 2002/0187834 to Rowe, et al. (hereinafter referred to as “Rowe”) is respectfully traversed.

Olsen is described above. Rowe describes a system (40) for monitoring game play, wherein system (40) includes a host (44) that stores, manipulates, and/or displays collected data. Game play information is used to update a player profile with play and/or reward information, for example. Player activities may also be associated with points that are accumulated according to, for example, the type of game played, a length of play, and/or an amount of money won or lost by the player. Additionally, awards such as bonuses or

“comps” may be awarded based on a variety of criteria. As indicated, in one embodiment a player may be required to meet a number of conditions or criteria. In one embodiment, awards may be randomly assigned to players of gaming machines or other games who are using their player tracking cards. In another embodiment, the awards may be provided only when a player meets other criteria, such as specific game play. In one embodiment, an award may be provided to a player solely at the discretion of gaming personnel. For example, a user of a hand-held device observing a particular player may determine that the player should be awarded a comp. The user may view the player's play data using the hand-held device and observe that the player has suffered a number of successive losses, and while the player would not otherwise meet other criteria for being awarded a bonus or comp such as having bet a sufficient amount of money over a period of time, the user may award the player an award to dissuade them from stopping play. Notably, Rowe does not describe nor suggest a bonus session that is active or inactive and does not describe nor suggest determining if the player has not received a bonus award from the set of bonus awards during a session.

Claim 23 is recited above.

Neither Olsen nor Rowe, considered alone or in combination, describes nor suggests a method for awarding a random bonus award, as is recited in Claim 23. More specifically, no combination Olsen and Rowe describe or suggest determining that a bonus session is active if the player has not received a bonus award from the set of bonus awards during a session. Rather, Olsen describes a gaming machine that, at the start of each play, generates a play start signal that causes a bonus mode time period to begin based on a randomly selected value in the bonus mode trigger function 210 and not based on whether the player has received a bonus award in that session. Rowe describes a system for use in monitoring player activities, thereby enabling the system to award bonuses or “comps” at any time based on a variety of criteria including player activities. Accordingly, Rowe does not describe or suggest a bonus session that may be activated or deactivated. The bonuses or “comps” are always available./ The awards such as bonuses or “comps” may be awarded based on a variety of criteria, for example, a player may be required to meet a number of conditions or criteria, awards may be randomly assigned to players of gaming machines or other games who are using their player

tracking cards, the awards may be provided only when a player meets other criteria, such as specific game play, an award may be provided to a player solely at the discretion of gaming personnel, but Rowe does not describe nor suggest a bonus session that is active or inactive and does not describe nor suggest determining if the player has not received a bonus award from the set of bonus awards during a session.

Accordingly, for at least the reasons set forth above, Claim 23 is submitted to be patentable over Olsen in view of Rowe.

Claims 24, 26, 38, 40, 41, 44, 47, 55, and 56 depend from independent Claim 23. When the recitations of Claims 24, 26, 38, 40, 41, 44, 47, 55, and 56 are considered in combination with the recitations of Claim 23, Applicants submit that dependent Claims 24, 26, 38, 40, 41, 44, 47, 55, and 56 likewise are patentable over Olsen in view of Rowe.

Claim 58 is recited above.

Neither Olsen nor Rowe, considered alone or in combination, describes nor suggests a program to award a random bonus award, as is recited in Claim 58. More specifically, no combination of Olsen and Rowe, describes nor suggests software to determine that a bonus session is active if the player has not received a bonus award from the set of bonus awards during a session. Rather, Olsen describes a gaming machine that, at the start of each play, generates a play start signal that causes a bonus mode time period to begin based on a randomly selected value in the bonus mode trigger function 210 and not based on whether the player has received a bonus award in that session and Rowe describes a system for use in monitoring player activities, thereby enabling the system to award bonuses or “comps” at any time based on a variety of criteria including player activities. Accordingly, Rowe does not describe or suggest a bonus session that may be activated or deactivated. The bonuses or “comps” are always available./ The awards such as bonuses or “comps” may be awarded based on a variety of criteria, for example, a player may be required to meet a number of conditions or criteria, awards may be randomly assigned to players of gaming machines or other games who are using their player tracking cards, the awards may be provided only when a player meets other criteria, such as specific game play, an award may be provided to a

player solely at the discretion of gaming personnel, but Rowe does not describe nor suggest a bonus session that is active or inactive and does not describe nor suggest determining if the player has not received a bonus award from the set of bonus awards during a session.

Accordingly, for at least the reasons set forth above, Claim 58 is submitted to be patentable over Olsen in view of Rowe.

Claims 59, 61, 73, 75, 76, 79, 82, 90, and 91 depend from independent Claim 58. When the recitations of Claims 59, 61, 73, 75, 76, 79, 82, 90, and 91 are considered in combination with the recitations of Claim 58, Applicants submit that dependent Claims 59, 61, 73, 75, 76, 79, 82, 90, and 91 likewise are patentable over Olsen in view of Rowe.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 24, 26, 38, 40, 41, 44, 47, 55, 56, 59, 61, 73, 75, 76, 79, 82, 90, and 91 be withdrawn.

The rejection of Claims 50 and 85 under 35 U.S.C. § 103(a) as being unpatentable over Olsen in view of U.S. Patent Publication No. 2002/0042294 to Pau, et al. (hereinafter referred to as “Pau”) is respectfully traversed.

Olsen is described above. Pau describes a game machine (10) that includes a video display unit (14) that displays to the player a choice of two or more prize sets, from which a prize is randomly drawn. The prize sets are presented on segments of wheels (50, 52, and 54) that simulate spinning before stopping randomly on a segment that defines the prize outcome won by the player.

Claim 50 depends from Claim 23, which is recited above. Neither Olsen nor Pau, describes nor suggests a method for awarding a random bonus award, as is recited in Claim 23. More specifically, no combination of Olsen and Pau, describes nor suggests a method that includes determining that a bonus session is active if the player has not received a bonus award from the set of bonus awards during a session and Pau merely describes presenting prize sets on a series of wheels that simulate spinning before stopping randomly on a segment that defines the prize outcome won by a player.

Accordingly, for at least the reasons set forth above, Claim 23 is submitted to be patentable over Olsen in view of Pau. When the recitations of Claim 50 are considered in combination with the recitations of Claim 23, Applicants submit that dependent Claim 50 likewise is patentable over Olsen in view of Pau.

Claim 85 depends from Claim 58, which is recited above.

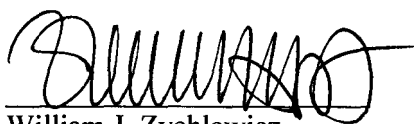
Neither Olsen nor Pau, considered alone or in combination, describes or suggests a program to award a random bonus award, as is recited in Claim 58. More specifically, no combination of Olsen and Pau, describes nor suggests software to determine that a bonus session is active if the player has not received a bonus award from the set of bonus awards during a session. Rather, Olsen describes a gaming machine that, at the start of each play, generates a play start signal that causes a bonus mode time period to begin based on a randomly selected value in the bonus mode trigger function 210 and not based on whether the player has received a bonus award in that session and Pau merely describes presenting prize sets via a series of wheels that simulate spinning before stopping randomly on a segment that defines the prize outcome won by a player.

Accordingly, for at least the reasons set forth above, Claim 58 is submitted to be patentable over Olsen in view of Pau. When the recitations of Claim 85 are considered in combination with the recitations of Claim 58, Applicants submit that dependent Claim 85 likewise is patentable over Olsen in view of Pau.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 50 and 85 be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William J. Zychlewicz', with a stylized, looping flourish extending to the right.

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